

Matthew Kaminski, WSBA #4423
Yakima Law, PLLC
212 N. Naches Ave.
Yakima, WA 98901
(509) 903-9500
matt@yakima.law

Attorney for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AMOS FINANCIAL LLC,

Plaintiff,

v.

THE CONFEDERATED TRIBES
AND BANDS OF THE YAKAMA
NATION,

Defendant.

Case No.

Complaint

I. Complaint

COMES NOW, the Plaintiff, who is a registered foreign limited liability company, seeks relief from the Yakama Nation for its failure to timely adjudicate the matter before its Tribal Court subject to the Due Process Clause of the United States Constitution.

II. Statement of Facts

Plaintiff, Amos Financial, LLC, is a registered foreign limited liability company, it is the successor in interest to PHH Mortgage Company.

The Confederated Tribes and Bands of the Yakama Nation is a recognized tribe situated in the Eastern District of Washington.

1. On December 12, 2014, Plaintiff's predecessor in interest filed a complaint to foreclose the Deed of Trust between signed by Jeffrey A. Sampson and Heather R. Sampson which was originally in favor of Mortgage Electronic Registration Systems, Inc. as nominee for KeyBank National Association. The complaint was given cause number 15-0024.

2. On July 7th, 2015, the matter was set for default judgment before the Tribal Court. The matter was continued at the request of the borrowers.
3. Since that time the Defendant has failed to allow this matter to proceed to any hearings. The Defendant is the one who sets hearings before its own court and is the only entity in control of the calendaring of hearings.
4. Plaintiff has filed motions, reached out to court staff and counsel for the tribe but there has been no action by the court despite attempts to move the matter to its conclusion. The relevant pleadings and correspondence with the court staff and counsel for the Tribe are attached as Exhibit A.
5. Plaintiff is prejudiced by every month of delay where the outstanding balance on the mortgage note is not being paid and they are deprived of their right to foreclose upon the property.

III. Relief Requested

Plaintiff has been deprived their due process pursuant to Amendment 5 and 14 of the U.S. Constitution. Plaintiff requests that the Federal Court assert jurisdiction over the matter and remove the cause to the Federal Court. In the alternative, the Plaintiff requests the Federal Court to issue an order compelling the Defendant to timely set the pending motions for hearing and to continue to do so to its completion.

Plaintiff requests fees and costs associated with bringing this action.

SIGNED AND DATED this 25 day of January 2023 at Yakima, Washington.

Yakima Law PLLC



Matthew Kaminski WSBA #44023
Attorney for Plaintiff

Nina Rodriguez

From: Nina Rodriguez
Sent: Thursday, May 28, 2020 11:46 AM
To: Crystal Whitefoot; Marty Heemsah
Subject: Case No. YTC-CO-15-0024

Good morning, I'm sending a quick email in regard to the Amos Financial v. Jeffrey and Heather Sampson, I am wanting to request documents but am needing to find out when the last known hearing is on this case or if there is one pending. I'm also needing to get a copy of the Assignment of Mortgage, are you able to see if there is one filed and when this was filed so I can send the Document Request Form?

Also, am I able to be included on any COVID-19 court hearing rulings or updates on any Tribal Court hearings? Your help is definitely greatly appreciated.

Thank you,



Nina Rodriguez
Paralegal/Tech
Yakima Law, PLLC
212 N. Naches Ave
Yakima, WA 98901
T: (509) 903-9500 **F:** (509) 866-5951

Hours: Monday – Thursday 8:30 a.m. – 5:00 p.m., Friday 8:30 a.m. – 2:30 p.m.

Notice: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, re transmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this email in error, and delete the copy you received. Thank you.

Nina Rodriguez

From: Nina Rodriguez
Sent: Monday, July 20, 2020 7:44 AM
To: Crystal Whitefoot; Marty Heemsah
Subject: RE: Case No. YTC-CO-15-0024 AMOS v. Jeffrey and heather Sampson
Attachments: 2020.7.20 (Amos) Document Request Form.pdf

Attached is the document request form, can you tell me the cost and let me know if I'm able to mail a check?

Thank you,



Nina Rodriguez
Paralegal/Tech
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Yakima, WA 98901
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From: Nina Rodriguez
Sent: Monday, July 20, 2020 7:25 AM
To: Crystal Whitefoot <Crystal_Whitefoot@Yakama.com>; Marty Heemsah <Marty_Heemsah@Yakama.com>
Subject: Case No. YTC-CO-15-0024 AMOS v. Jeffrey and heather Sampson

Good morning, hope all is well! I'm sending a quick email to see if there has been a recorded assignment of deed of trust from MERS to KeyBank filed on this matter. Can you please confirm? I am aware things have been on hold due to COVID but if you could confirm when this was filed so I can request a copy. I would greatly appreciate it.

Thank you,



Nina Rodriguez
Paralegal/Tech
Yakima Law, PLLC
212 N. Naches Ave
Yakima, WA 98901
T: (509) 903-9500 F: (509) 866-5951

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Nina Rodriguez

From: Nina Rodriguez
Sent: Tuesday, April 19, 2022 9:46 AM
To: Jenifer Manuel; Victoria Barajas; Elmer Ward; Cheri Root; Tamara Saluskin; Kayla Fiander
Cc: Matthew Kaminski
Subject: KeyBank National Association v. Jeffrey Sampson, Case No. YTC-CO-15-0024 - SFK8
Attachments: 2022.4.19 (PHH Mortgage) Amos Financial Document Request Form .pdf

Importance: High

Good morning all, hope all is well! We would like to set a hearing on the above referenced matter. Can I please obtain dates of when this matter can be heard or be provided the correct document to get this matter set for a hearing?

We also need to obtain all documents that have been filed under the above referenced matter. I've attached the document request form. I know due to COVID the process is handled a bit different. Please let me know if I need to come down. I'd be happy to.

I am also needing to find out if there's been an assignment of deed of trust from MERS to KeyBank filed with the Yakama Tribal records. Can you point me to the right direction?

Thank you all, your assistance is greatly appreciated!

Thank you,



Nina Rodriguez
Litigation Paralegal
Yakima Law PLLC
212 N. Naches Ave
Yakima, WA 98901
T: (509) 903-9500 F: (509) 866-5951

Hours: Monday – Thursday 8:30 a.m. – 5:00 p.m., Friday 8:30 a.m. – 2:30 p.m.

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Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

DOCUMENT REQUEST FORM

TO: YAKAMA TRIBAL COURT
P.O. Box 151, Toppenish, WA 98948
Phone: 509-865-5121

TYPE OF CASE: (Please Circle)

(PATERNITY) (DIVORCE) (GUARDIANSHIP) (PROBATE) (CIVIL)
(CUSTODY) (NAME CHANGE) (CRIMINAL) (RESTRAINING ORDER)

Print Your Name here: Nina Rodriguez PHONE No.: 509.903.9500

NAME(s) ON COURT CASE FILE: PHH Mortgage Co. v. Sampsons D.O.B. _____
D.O.B. _____

DATE OF LAST KNOWN HEARING: Unknown COURT CASE# YTC-CO-15-0024

The request for documents will be used for the following specific purpose(s): HEARINGS

I am requesting at (DUPLICATE COPY) (CERTIFIED COPY) *see costs below

Nina Rodriguez
Requestor's Signature

LITIGATION PARALEGAL
Title

4-19-22
Date

P L E A S E A L L O W (7 2) H O U R S T O P R O C E S S Y O U R R E Q U E S T .

Note: Adoption records are sealed and in the event you are requesting copies of adoption records that is only through a written petition to the court for the judge's consideration.

DO NOT WRITE BELOW DOTTED LINE FOR COURT USE ONLY

Your request is hereby GRANTED/DENIED

JUDGE, Yakama Tribal Court

Date

If denied – reason: _____

I have on this _____ day of _____ 20____ at _____: _____ AM / PM made copies of the documents requested and MAILED/DELIVERED to: _____

Court Staff

DUPLICATION *Cost at .50 each page

CERTIFIED *Cost at \$2 and .50 per page thereafter if more than one document

*Due at time of copying \$ _____

Nina Rodriguez

From: Nina Rodriguez
Sent: Friday, August 5, 2022 1:52 PM
To: YN Court Clerk
Cc: Matthew Kaminski
Subject: Amos Financial v. Sampsons Case No. YTC-CO-15-0024
Attachments: (Amos) Motion to Amend and Request Hearing.pdf

Good afternoon, I'm following up in regard to the attached documents. Sorry if you got doubles. The original copies were sent by our receptionist by mail. She didn't know we could email. Can we please get an update on this?

Thank you,



Nina Rodriguez
Litigation Paralegal
Yakima Law PLLC
212 N. Naches Ave
Yakima, WA 98901
T: (509) 903-9500 F: (509) 866-5951

Hours: Monday – Thursday 8:30 a.m. – 5:00 p.m., Friday 8:30 a.m. – 2:30 p.m.

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Attorneys

Matthew Kaminski
Brooke Barnes
Jodi Mumford
Wendy Winfield

August 2, 2022

Yakama Nation Tribal Court
50 Wishpoosh Rd.
Toppenish, WA 98948

Attn: Tamara Saluskin

Re: *PHH Mortgage Company (Now Amos Financial) v. Jeffrey Sampson; Heather Sampson*

Yakama Nation Tribal Court Case No. YTC-CO-15-0024

Dear Ms. Saluskin:

My name is Matthew Kaminski, and I am an attorney at Yakima Law, PLLC. I represent Amos Financial.

I am enclosing a renewed motion to amend and to request a hearing on the matter. There has been a pending motion before the court. I am not sure why this has never been set for hearing, I understand that there have been issues with settings, but I will insist that we please have this set for hearing as soon as is feasible.

Feel free to reach out to me at 509.903.9500. If I am not available, my paralegal, Nina Rodriguez can assist.

Sincerely,

Matthew Kaminski

MRK/nr

**IN THE TRIBAL COURT OF THE CONFEDERATED TRIBES AND BANDS OF THE
YAKAMA INDIAN NATION**

In re:
PHH MORTGAGE COMPANY, *et al.*,
Plaintiffs,
V.
JEFFEREY A. SAMSON; HEATHER R.
SAMPSON; *et al.*,
Defendants.

No. YTC-CO-15-0024

**RE: RENEWED MOTION FOR LEAVE
TO FILE FIRST AMENDED
COMPLAINT, DEED OF TRUST
FORECLOSURE; MEMORANDUM OF
SUPPORTING LAW; REQUEST FOR
HEARING**

**COMES NOW, Plaintiff by and through it's assigns and counsel, and make this
request for a hearing on their renewed Motion to File First Amended Complaint, as follows:**

I. INTRODUCTION

Plaintiff, respectfully moves the Tribal Court, pursuant to Rule 15 of the Federal Rules of Civil Procedure, for leave to file a First Amended Complaint maintains the counts and allegations against the same Defendants from the original complaint but drops one plaintiff and accounts for significant factual and procedural developments that have occurred since the original complaint was field.

II. BACKGROUND

A. Summary of Procedural Background:

This case was filed in late 2014. Despite being on file for several years, Defendants have never bothered to file an Answer or other responsive pleading. Plaintiff has filed a number of Motions for Default, all without a ruling. At the last Motion for Default, in May 2017, the Court promised to review its file and schedule another hearing "within thirty days". Plaintiff, Keybank got wind of a divorce proceedings between Heather and Jeffrey Sampson and filed a Motion to

Intervene in that proceeding but received no confirmation from the Court that such a motion was
Motion – Page 1 of 5



COPY

YAKIMA LAW, PLLC
212 N. Naches Ave.
Yakima, WA 98901
(T) 509-903-9500 | (F) 509-866-5951

1 filed.

2 During the pendency of this, Plaintiff recognizes that Covid created severe issues with the
3 Court scheduling hearings. As the worst of the pandemic is hopefully behind us, we ask to
4 proceed and renew our motion.

5 **B. Summary of Factual Background**

6 When this case started, third-party PHH Mortgage Corporation was servicing the
7 account. Since that time Keybank and then later Amos Financial were assigned the instrument.
8 As such, leave is requested from this Court to remove the name of PHH Mortgage Corporation
9 from the suit and to instead simply show Amos Financial as the Plaintiff in interest. Also, the
10 outstanding loan amount has increased significantly due to the lack of any payments from
11 borrowers during the pendency of this suit.

12 **III. ARGUMENT**

13 Federal Rule of Civil Procedure 15(a) allows for leave to amend pleadings, and further
14 provides that "leave shall be freely given when justice so requires." The present Motion for
15 Leave to Amend presents such an occasion, for the following reasons:

16 **A. Plaintiff has Removed the name of one of the Plaintiffs.**

17 PHH Mortgage Corporation is no longer servicing the loan and is therefore omitted from
18 the caption of the proposed First Amended Complaint.

19 **B. The Amended Complaint Adds Details and Specificity to Plaintiff's Factual 20 Assertions and Causes of Action**

21 To aid the Court in its assessment of Plaintiff's claims, Plaintiff has added detail and
22 specificity to their factual assertions, For example, Plaintiff's claims, Plaintiff has added detail
23 and specificity to their factual assertions. For example, Plaintiff provides more detail and an
24 update on the loan balance outstanding. Furthermore, Plaintiff more clearly points out that,
25 because the Secretary of the Interior approved the mortgage loan, the trust status no longer
applies, upon Order of Foreclosure or Order of Sale, Plaintiff may sell the property to any willing
buyer, regardless of whether that buyer is Indian or non-Indian.

26 **C. The Proposed Amendment Meets the "Liberal" Legal Standards Governing 27 Amendments**

28 The Yakama Nation law is guided by the federal common law. Here, "[i]n the absence of
29 a dispositive scheduling order, whether leave to amend should be granted is governed by the

1 more liberal standard set forth in Rule 15(a).” *McKinley v. Kaplan*, 177 F. 3d 1253, 1257 (11th
2 Cir. 1999). Plaintiff’s proposed amendments satisfy the applicable legal standards and will
3 facilitate resolution of the case on the merits.

4 **1. Dismissal of PHH Mortgage**

5 Amos has now taken over the previously delegated responsibility to service the account .
6 PHH Mortgage Corporation no longer acts as the third-party servicer on the account. Dismissal
7 of individual parties from a case is appropriately accomplished through Rule 15. *Perry v.*
8 *Schumacher Grp. Of La.*, 891 F.3d 954, 958 (11th Cir. 2018) (holding that Rule 41(a) may be
used to dismiss only an action in its entirety).

9 **2. Supplemental Claims**

10 Courts have recognized that “[a] supplemental pleading is an appropriate vehicle by
11 which to ‘set forth new facts in order to update the earlier pleading or change the amount or
12 nature of the relief requested in the original pleading.” *Lussier v. Dugger*, 904 F. 2d 661, 670
13 (11th Cir. 1990) (quoting 6A Charles Alan Wright, Arthur R. Miller, & M. K. Kane, 4 *Federal*
14 *Practice and Procedure* § 1504 (footnotes omitted). Leave to file a supplemental pleading
15 “should be freely granted when doing so will promote the economic and speedy disposition of
16 the entire controversy between the parties, will not cause undue delay or trial inconvenience, and
17 will not prejudice the rights of any of the other parties to the action.” 6A Charles Alan Wright &
18 Arthur R. Mill *et al.*, *Federal Practice and Procedure* § 1504 (3d ed. 2018). This is a similar
19 standard to that used in determining whether to grant leave to amend pursuant to Rule 15(a)(2),
20 with the notable exception being that any supplementation must be based on a “transaction,
21 occurrence, or event that happened *after* the date of the pleading to be supplemented.” Fed. R.
Civ.P. 15(d) (*italics emphasis added.*) Here, Plaintiff supplement claims appropriately update its
earlier complaint to reflect certain Defendant’s actions since Plaintiff filed its original
Complaints.

22 **3. Amended Allegations and Claims**

23 Federal Rule of Civil Procedure 15 places leave to amend within the sound discretion of
24 the tribal court. *Forman v. Davis*, 371 U.S. 178, 181-82 (1962). In exercising this discretion, a
25 court should be guided by the underlying purpose of Rule 15 to facilitate a decision on the
merits, rather than on the pleading or technicalities (*Id.* at 182), and any decision to deny leave
should be supported with an explanation from the Court (*see Higdon v. Tusan*, 673 F. App’x 933,

1 937 (11th Cir. 2016). “Unless there is a substantial reason to deny leave to amend, the discretion
 2 of the ... court is not broad enough to permit denial.” *Thomas v. Davie*, 847 F.2d 771, 773 (11th
 3 Cir. 1988) (quotations and citations omitted).

4 4. No Prejudice to Opposing Parties

5 Prejudice is the major consideration and given most weight when deciding whether to
 6 grant leave to amend. *United States v. Hougham*, 364 U.S. 310, 316 (1960); see also *Middle Atl.*
 7 *Utils. Co. v. S. M. W. Dev. Corp.*, 392 F.2d 380, 384 (2d Cir. 1968) (“trial court should normally
 8 focus on the resultant prejudice to defendant”); *Eminence Capital, LLC v. Aspirin, Inc.*, 316 F.
 9 3d 1048, 1052 (9th Cir. 2003) (prejudice is the “touchstone of the inquiry under rule 15(a).”). The
 10 burden to prove prejudice lies with the party opposing an amendment. *Allstate Ins. Co. v.*
 11 *Regions Bank*, No. 14-0067-WS-C, 2014 U.S. Dist. LECIS 115540, at *27-29 (S.D. Ala. Aug.
 12 19, 2014). Based upon the foregoing arguments, Defendants cannot demonstrate the substantial
 13 prejudice that would support this Court’s denial of the requested leave to file an Amended
 14 Complaint.

15 5. There Has Been No Undue Delay Caused by Plaintiff

16 While there has been delay, there has not been delay caused by Plaintiff and there has
 17 certainly been no undue delay on Plaintiff’s part. Undue delay is that delay which unfairly
 18 prejudices the non-moving parties or imposes unwarranted burdens upon the Court. *Mayeaux. v.*
 19 *La Health Serv. & Indem. Co.*, 376 F.3d 420, 427 (5th Cir. 2004).

20 Plaintiff incorporates its first motion by reference. Plaintiff filed its original Complaint
 21 at the end of 2014. The Court took it upon itself to wait until 2015 to place a conformed stamp or
 22 file stamp on the original Complaint. Plaintiff brought various Motions for Default and a Motion
 23 to Intervene in the divorce proceedings of Heather and Jeffery Sampson. The Court promised to
 24 schedule a new Hearing for Plaintiff’s Motion for Default that was placed on the Court’s
 25 calendar in May 2017, but Plaintiff never heard from the Court again. Defendants never filed an
 Answer or other responsive pleading, never filed a motion of any kind, and never made a
 settlement offer. If any party has been prejudiced from how the original Complaint has not been
 responded to it is Plaintiff, not Defendants. Without Defendants being made to file an Answer or
 other responsive pleading. Plaintiff does not wish to go out on a limb and conduct discovery, to
 then face arguments of waiver or estoppel as to the requirement for Defendants to file an Answer
 or other responsive pleading.

1 Furthermore, Defendants' failure to retain defense counsel put Plaintiff's counsel in the
 2 enviable position of having to communicate directly with Defendants as opposed to counsel for
 3 Defendants.

4 In the case of *W.R. Huff Asset Mgmt. Co. v. Kohlber, Kravis, Roberts, KKR Assocs. LP*,
 5 209 F. App'x 931, 934-35 (11th Cir. 2006), the Court held that a plaintiff's proposed amended
 6 complaint posed "no undue burden on [the defendant] when the litigation - though lone-lived -
 7 had not yet progressed beyond the pleading stage," and where "[t]here has been no discovery,
 8 nor a trial date set, and the claims presented in the new complaint do not differ in substance from
 9 those raised previously." *Id.* at 935. Nor was there a "waste of judicial resources" where "no
 10 federal judges have yet considered the substance of [the plaintiff's] complaints." *Id.* The *Huff*
 11 court also held that the motion to amend was not untimely where, "a[a]lthough this case has had
 12 an undeniably long procedural history, the delays to which it has been subject have generally
 13 been no fault of [the plaintiff's] . . ." *Id.* See also *Howey v. United States*, 481 F.2d 1187 (9th Cir.
 14 1973) (allowing leave five years after a third-party complaint had been filed.)

15 Furthermore, since entering the matter as new counsel a pandemic has swept the nation
 16 creating issues with scheduling matters before the court. There has been a motion pending which
 17 has not been set for hearing on this matter but there are no dates set for hearings, motions,
 18 pretrial, trial, or other events.

19 **6. Plaintiff's Complaint is Not Deficient, and There Has Been No Failure to**
 20 **Cure Any Deficiency**

21 Plaintiff has not previously requested leave to amend and there has been no ruling
 22 regarding the sufficiency of Plaintiff's claims.

23 **IV. CONCLUSION**

24 Plaintiff's proposed amendments are appropriate and consistent with federal case law
 25 precedent. The proposed amendments will not unfairly prejudice the Defendants. The proposed
 amendments are intended to clarify the claims at issue in the case and promote the resolution of
 those claims on the merits. Therefore, based upon the foregoing arguments and legal citations
 supporting a policy of favoring amendments to pleadings, Plaintiff respectfully requests that this
 Tribal Court enter an order granting Plaintiff leave to file its First Amended Complaint.

Respectfully submitted this 2nd day of August 2022.



Mathew Kaminski,
Attorney for Plaintiff

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Name: Matthew Kaminski

Mailing Address: 212 N. Naches Ave.

Yakima, WA 98901

Telephone: 509.903.9500

☒ Check if this is a New/Updated Address – Attorney's Address

**IN THE YAKAMA TRIBAL COURT FOR THE CONFEDERATED
TRIBES AND BANDS OF THE YAKAMA NATION**

In Re:

PHH MORTGAGE COMPANY, et al.,
Plaintiff's

Vs.

JEFFEREY A. SAMPSON; HEATHER R.
SAMPSON; et al.,
Respondent

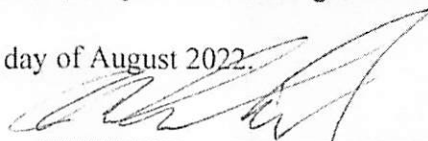
Case No.(s): YTC-CO-15-0024

MOTION & ORDER FOR HEARING

☒ CLERKS ACTION REQUIRED
☒ NOTICE OF HEARING

Comes now, Plaintiff., the undersigned, moves this Court to schedule a hearing based upon the attached Renewed Motion for Leave to File First Amended Complaint, Deed of Trust Foreclosure; Memorandum of Supporting Law; Request for Hearing filed herewith

Respectfully submitted this 2 day of August 2022.



Matthew Kaminski, WSBA 44023
Attorney for Plaintiff

ORDER

The Court has reviewed this Motion, and ☐ DENIES ☐ GRANTS the request for the following reasons: _____



☐ The Clerk shall reschedule this matter, with notice to all parties.

☐ The previous Court Ordered conditions shall remain in effect

☐

Other: _____

Done this _____ day of _____, 20____.

Judge, Yakama Tribal Court

NOTICE OF YOUR NEXT COURT DATE:

Monday Tuesday Wednesday Thursday Friday

DATE: _____ **TIME:** ____:____ **AM/PM**

Done this _____ day of _____, 20____.

Clerk, Yakama Tribal Court



Nina Rodriguez

From: Nina Rodriguez
Sent: Thursday, August 11, 2022 2:40 PM
To: Rose Sampson
Subject: RE: YTC-CO-15-0024
Attachments: 2022.8.11 (Amos Financial) NOA.pdf; (Amos Financial) DOCUMENT REQUEST FORM.pdf

Hello Rose, please see attached.

Thank you,



Nina Rodriguez
Litigation Paralegal
Yakima Law PLLC
212 N. Naches Ave
Yakima, WA 98901
T: (509) 903-9500 **F:** (509) 866-5951

Hours: Monday – Thursday 8:30 a.m. – 5:00 p.m., Friday 8:30 a.m. – 2:30 p.m.

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From: Rose Sampson <Rose_Sampson@Yakama.com>
Sent: Monday, August 8, 2022 11:03 AM
To: Nina Rodriguez <Nina@YAKIMA.LAW>
Subject: RE: YTC-CO-15-0024

Good Morning Nina,

Was there a NOA filed for Mr. Kaminski – requesting another copy to release copies of the file before we go forward and make copies.

Rose Sampson
Clerk,
YN Tribal Court –Civil

**IN THE YAKAMA TRIBAL COURT FOR THE CONFEDERATED TRIBES AND
BANDS OF THE YAKAMA NATION**

In re:

PHH MORTGAGE COMPANY, et al.,

Plaintiffs,

**JEFFEREY A. SAMPSON; HEATHER
R. SAMPSON; et al.,**

Defendants.

No. YTC-CO-15-0024

NOTICE OF APPEARANCE

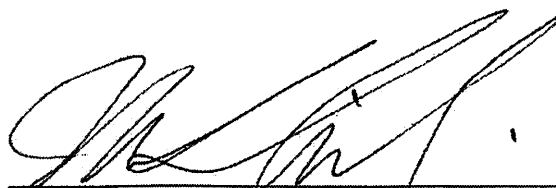
TO: Clerk of the Court;

AND TO: Jefferey A. Sampson; Heather R. Sampson; et al.,

PLEASE TAKE NOTICE that the Plaintiff, PHH Mortgage Company, et al., it's successors in Interest and/or assigns, by and through PHH Mortgage Corporation, hereby appears in the above-entitled cause by the undersigned attorney and requests that all further papers and pleadings herein, including original process, be served upon the undersigned attorney at the address below stated.

Matthew Kaminski
Yakima Law, PLLC
212 N. Naches Ave.
Yakima, WA 98901

Date: August 01, 2022.



Matthew Kaminski, WSBA No. 44023
Attorney for Plaintiff



Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

DOCUMENT REQUEST FORM

TO: YAKAMA TRIBAL COURT
P.O. Box 151, Toppenish, WA 98948
Phone: 509-865-5121

TYPE OF CASE: (Please Circle)

(PATERNITY) (DIVORCE) (GUARDIANSHIP) (PROBATE) (CIVIL)
(CUSTODY) (NAME CHANGE) (CRIMINAL) (RESTRAINING ORDER)

Print Your Name here: Nina Rodriguez at Yakima Law PHONE No.: 509.903.9500

NAME(s) ON COURT CASE FILE: PHH Mortgage Co. et. al., D.O.B. _____
v. Jefferey and Heather Sampson D.O.B. _____

DATE OF LAST KNOWN HEARING: Unknown COURT CASE# YTC-CO-15-0024

The request for documents will be used for the following specific purpose(s): Representation of PHH Mortgage Co
all documents that have been filed under this matter.

I am requesting a: (DUPLICATE COPY) (CERTIFIED COPY) *see costs below

Nina Rodriguez
Requestor's Signature

Paralegal, Yakima Law, PLLC
Title

08/11/2022
Date

P L E A S E A L L O W (7 2) H O U R S T O P R O C E S S Y O U R R E Q U E S T .

Note: Adoption records are sealed and in the event you are requesting copies of adoption records that is only through a written petition to the court for the judge's consideration.

DO NOT WRITE BELOW DOTTED LINE FOR COURT USE ONLY

Your request is hereby GRANTED/DENIED

JUDGE, Yakama Tribal Court

Date

If denied – reason: _____

I have on this _____ day of _____ 20____ at _____: _____ AM / PM made copies of the documents requested and MAILED/DELIVERED to: _____

Court Staff

DUPLICATION *Cost at .50 each page

CERTIFIED *Cost at \$2 and .50 per page thereafter if more than one document

*Due at time of copying \$ _____

Nina Rodriguez

From: Nina Rodriguez
Sent: Friday, September 2, 2022 9:48 AM
To: Tamara Saluskin
Cc: Matthew Kaminski; Rose Sampson; Jenifer Manuel; Kayla Fiander; Elmer Ward
Subject: Amos Financial | YTC-CO-15-0024
Attachments: Amos Financial v. Sampsons Case No. YTC-CO-15-0024 ; RE: YTC-CO-15-0024

Good morning, hope all is well, I'm following up in regard to the above referenced matter. A motion requesting a hearing was sent the beginning of August of 2022 and we have yet to hear back. Can we please get an update? I am needing to get conformed copies as well.

Thank you,



Nina Rodriguez
Litigation Paralegal
Yakima Law PLLC
212 N. Naches Ave
Yakima, WA 98901
T: (509) 903-9500 F: (509) 866-5951

Hours: Monday – Thursday 8:30 a.m. – 5:00 p.m., Friday 8:30 a.m. – 2:30 p.m.

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From: Nina Rodriguez
Sent: Friday, August 26, 2022 10:07 AM
To: 'Tamara Saluskin' <Tamara_Saluskin@Yakama.com>
Cc: Matthew Kaminski <matt@YAKIMA.LAW>; Rose Sampson <Rose_Sampson@Yakama.com>; Jenifer Manuel <Jenifer_Manuel@Yakama.com>
Subject: RE: Buck v. Spencer & Amos Financial

No worries. Thank you so much Tamara! Glad you are feeling well and back at work. By any chance, can I get an update on the attached email?

Thank you,



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Nina Rodriguez

From: Elmer Ward <Elmer_Ward@Yakama.com>
Sent: Friday, September 2, 2022 10:07 AM
To: Nina Rodriguez; Tamara Saluskin
Cc: Matthew Kaminski; Rose Sampson; Jenifer Manuel; Kayla Fiander
Subject: RE: Amos Financial | YTC-CO-15-0024

Sorry not my case.

Elmer Ward
Staff Attorney
WSBA #30323
Yakama Nation Public Defender Office
P.O. Box 151
Toppenish, WA 98948
(509) 865-5121 X. 4878 Fax (509) 865-4250
Cell (509) 314-0573

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From: Nina Rodriguez <Nina@YAKIMA.LAW>
Sent: Friday, September 2, 2022 9:48 AM
To: Tamara Saluskin <Tamara_Saluskin@Yakama.com>
Cc: Matthew Kaminski <matt@YAKIMA.LAW>; Rose Sampson <Rose_Sampson@Yakama.com>; Jenifer Manuel <Jenifer_Manuel@Yakama.com>; Kayla Fiander <Kayla_Fiander@Yakama.com>; Elmer Ward <Elmer_Ward@Yakama.com>
Subject: Amos Financial | YTC-CO-15-0024

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Nina Rodriguez

From: Matthew Kaminski
Sent: Friday, September 2, 2022 10:33 AM
To: ethan@yakamanation-olc.org
Cc: Nina Rodriguez
Subject: Fw: Amos Financial | YTC-CO-15-0024
Attachments: Amos Financial v. Sampsons Case No. YTC-CO-15-0024 ; RE: YTC-CO-15-0024

Ethan,

Thanks for speaking with me this morning. Again, I inherited this case from a retiring attorney and I have a client that is breathing down my neck for some kind of forward momentum on this.

I just need a hearing set to amend complaint / set summary judgment or trial on this foreclosure.

My next step is going to be to file in federal court and ask to remove this, but I didn't want to do that without at least alerting you to the issue first.

Thanks and I hope you have a good weekend.

Matt



Matthew Kaminski,
Attorney
Yakima Law PLLC
212 N. Naches Ave
Yakima, WA 98901
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From: Nina Rodriguez <Nina@YAKIMA.LAW>
Sent: Friday, September 2, 2022 9:47 AM
To: Tamara Saluskin <Tamara_Saluskin@Yakama.com>
Cc: Matthew Kaminski <matt@YAKIMA.LAW>; Rose Sampson <Rose_Sampson@Yakama.com>; Jenifer Manuel <Jenifer_Manuel@Yakama.com>; Kayla Fiander <Kayla_Fiander@Yakama.com>; Elmer Ward <Elmer_Ward@Yakama.com>
Subject: Amos Financial | YTC-CO-15-0024

Nina Rodriguez

From: Nina Rodriguez
Sent: Thursday, September 29, 2022 3:19 PM
To: Tamara Saluskin
Subject: RE: Amos Financial | YTC-CO-15-0024

Good afternoon, hope all is well! Is there an update in regard to the below request?

Thank you,



Nina Rodriguez
Litigation Paralegal
Yakima Law PLLC
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Subject: Amos Financial | YTC-CO-15-0024

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